

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BHARATKUMAR G. THAKKER,
et al.,

Petitioners-Plaintiffs,

vs.

CLAIR DOLL, in his official capacity as
Warden of York County Prison, et al.,

Respondents-Defendants.

Case No. 1:20-cv-00480-JEJ

Judge John E. Jones III

PLAINTIFFS' UNOPPOSED MOTION
TO FILE REPLY BRIEF

Plaintiffs hereby respectfully request that the Court permit the Plaintiffs to file a short reply brief before the close of business today, and as grounds therefor aver as follows:

1. Respondents'/Defendants' response (Docket No. 35), filed last night, omits critical facts about conditions inside the three detention facilities. Perhaps the most important ones are that Pike County officials learned that a correctional officer, who had contact with detained persons, tested positive for COVID-19, on March 24, and both Pike and York have imposed quarantines. Defendants' one declarant who speaks to conditions at the facilities, Jennifer Moon, fails in her declaration to

mention these. Indeed, she suggests that there is no indication of infection. *See* Declaration of Jennifer Moon at ¶ 12 (Docket 35-1 at 7).

2. Respondents'/Defendants' response also misrepresents Petitioners'/Plaintiffs' legal arguments.

3. Petitioners/Plaintiffs would ask the Court's permission to file a brief rejoinder before the close of business today.

4. Undersigned counsel sought consent to this motion from Ms. Sanderson, who advised that Respondents take "no position."

WHEREFORE, Plaintiffs respectfully request that this Court grant this motion to allow them an opportunity to file a reply brief before the close of business today.

Dated: March 30, 2020

Respectfully Submitted,

/s/ Will W. Sachse

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/s/ Witold J. Walczak

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**Petition for permission to file pro hac vice forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the foregoing motion on counsel of record via the Court's ECF filing system and via email courtesy copy to the office of the United States Attorney for the Middle District of Pennsylvania.

Dated: March 30, 2020

/s/ Witold J. Walczak

Witold J. Walczak (PA 62976)

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CERTIFICATE OF CONCURRENCE

In accordance with Local Rule 7.1, Petitioner's counsel sought concurrence from the U.S. Attorney's Office, who takes "no position" on the motion to file a reply brief.

Dated: March 30, 2020

/s/ Witold J. Walczak

Witold J. Walczak (PA 62976)

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